

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

RUSTIN G. JACKSON,)	
)	
Plaintiff,)	
)	
v.)	NO.: 3:04-CV-344
)	(VARLAN/SHIRLEY)
STATE OF TENNESSEE, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

This civil action is before the Court on defendant City of Jacksboro's Motion to Dismiss and/or for Summary Judgment [Doc. 31]. On August 5, 2004, *pro se* plaintiff filed a Complaint for Violations of Constitutional Rights [Doc. 3] pursuant to 42 U.S.C. § 1983. He later filed First and Second Amended Complaints [Docs. 7, 36]. *Pro se* plaintiff complains that defendant City of Jacksboro is liable for violations of his constitutional rights and for various state law claims. Defendant City of Jacksboro vigorously denies all allegations against it.

In the instant motion, defendant City of Jacksboro contends that plaintiff has failed to state a claim for which relief can be granted because none of its officers, agents or employees were involved in any alleged constitutional violation against *pro se* plaintiff, and the state law claims lack merit. *Pro se* plaintiff has failed to respond specifically to defendant City of Jacksboro's motion. *See* E.D.TN. LR 7.1(a), 7.2. "Failure to respond to

a motion may be deemed a waiver of any opposition to the relief sought.” E.D.TN. LR 7.2. Nevertheless, the Court has considered the merits of defendant City of Jacksboro’s motion.

For the reasons discussed in the memorandum opinion entered contemporaneously herewith, the Court hereby **GRANTS** defendant City of Jacksboro’s motion [Doc 31]. Accordingly, defendant City of Jacksboro is hereby **DISMISSED** from further proceedings in this case.

IT IS SO ORDERED.

s/ Thomas A. Varlan
UNITED STATES DISTRICT JUDGE